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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,794	03/24/2004	Eric C. Stelter	10504 4241 EXAMINER	
75	90 02/06/2006			
MARK G. BOCCHETTI			GOLDBERG, BRIAN J	
EASTMAN KODAK COMPANY 343 STATE STREET ROCHESTER, NY 14650-2201			ART UNIT	PAPER NUMBER
			2861	
			DATE MAILED: 02/06/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application No. Application No. STELTER ET AL.		Application No.	Applicant(s)				
Period for Reply As HORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Exercises of line may be available under the provisions of 3 /CFR 1,348(), fin or event, however, may a reply be similar flow of the service of time may be available under the provisions of 3 /CFR 1,348(), fin or event, however, may a reply be similar flow of the service of time may be available under the provisions of 3 /CFR 1,348(), fin or event, however, may a reply be similar flow of the provision of the above claim(s) is/are allowed. Claim(s)1.46 is/are pending in the application. Claim(s)1.46 are subject to restriction and/or election requirement. Application Papers Second Pape							
Brian Gold berg 2861 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. If NO period for reply is benefited above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of this communication. If NO period for reply is pecified above, the mainting date of thi	Office Action Summary						
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. ■ Extraction of streen may be available under the provisions of 37 CPT 1, 138(a). In no event, however, may a maybe be limitely filed. ■ Extraction of streen may be available under the provisions of 37 CPT 1, 138(a). In no event, however, may a maybe be limitely filed. ■ Extraction of the may be contained by provision of 37 CPT 1, 138(a). In no event, however, may a maybe be limitely filed with 1881 and 1881	The MAILING DATE of this communication app	·					
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1) Responsive to communication(s) filed on 24 March 2004. 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s)	 WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any 						
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3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)							
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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-22, drawn to a print apparatus, classified in class 347, subclass
 7.
- Claims 23-46, drawn to a printing process, classified in class 347, subclass 84.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process can be practiced by a different apparatus that includes a mixing means or a swapping means.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D.

BJG

January 23, 2006

Thinh Nguyen Primary Examiner Technology Center 2800